

REMARKS/ARGUMENTS

Reexamination and reconsideration of this application, withdrawal of the rejections, and formal notification of the allowability of all claims as now presented are earnestly solicited in light of the remarks that follow. Claims 16-30 are pending in the application.

In light of the recent decision by the Board of Patent Appeals and Interferences, the sole obviousness rejection against the pending claims has been overruled. Thus, the only remaining rejections of record are three obviousness-type double patenting rejections that were added during the appeal process. Specifically, the Examiner has presented an obviousness-type double patenting rejection in light of the claims of U.S. Patent No. 6,652,887 and the claims of U.S. Application Nos. 09/947,833 and 09/327,761. In order to expedite prosecution, Applicants have submitted herewith three terminal disclaimers that are believed to obviate these three rejections. Accordingly, Applicants respectfully request reconsideration and withdrawal of these rejections.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

/christopher m. humphrey/

Christopher M. Humphrey
Registration No. 43,683

Appl. No.: 10/060,697
Amdt. dated January 29, 2007
Reply to Office Action of December 7, 2006

Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Raleigh Office (919) 862-2200
Fax Raleigh Office (919) 862-2260

ELECTRONICALLY FILED USING THE EFS-WEB ELECTRONIC FILING SYSTEM OF THE UNITED STATES PATENT & TRADEMARK OFFICE ON JANUARY 29, 2007.